IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 18428 OF 2005

Date: 29.09.2005

BETWEEN:

Pamidimukkala Venkateswar Rao

.... PETITIONER

And

1. The State of A.P. rep. by the District Collector, Vizianagaram, and others.

.... RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO. 18428 OF 2005

ORDER:

The petitioner claims to be in occupation of agricultural land admeasuring an extent of Acs.3.90 in S.No.29 of Kandulapadam village in Vizianagaram District. He allegedly dug a bore-well for irrigating his lands. The petitioner also states that he also purchased the land in S.No.27 (corresponding to old S.No.12) from one Sappi Lachamma and Sappi Paramesu under a sale deed dated 26.12.1995. He allege that the second respondent is now trying to evict the petitioner from the land on the ground that the land in S.No.27 (old S.No.12) is already surrendered by the fourth respondent in the related proceedings under A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. Therefore, the petitioner seeks a declaration that the action of the respondents in dispossessing the petitioner is illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (General). As rightly pointed out by the learned Assistant Government Pleader, the writ petition is filed on mere apprehension. Be that as it is, if the petitioner is in

possession of the land, until and unless due process of law is followed, the respondents shall not dispossess him.

The Writ Petition, with the above observations, is accordingly disposed of at the admission stage.

_____

(**V.V.S. RAO, J.)**

29th September, 2005

Js